

**CITY OF FITCHBURG  
CONSERVATION COMMISSION  
DRAFT MEETING MINUTES  
TUESDAY, FEBRUARY 26, 2008**

**COMMISSIONERS IN ATTENDANCE:** Tom Starr, Chairman, Mike Donnelly, John Koutonen, Harry Karis, Kevin Sanders (associate member)

**STAFF IN ATTENDANCE:** Tim Smith, Mike O'Hara

**CALL TO ORDER:** Meeting called to order at 5:30 p.m. in the Veteran's Room, First Floor, City Hall.

**MISCELLANEOUS**

Continued discussion about Local Wetlands Ordinance.

Discussion on compiled comments on ordinance & regulations from NRWA, Janet Morrison, Bovenzi, Inc., Dan Curley. Tom invited comments from those in attendance:

Jim Moriarty, Bovenzi, Inc.: from developer's viewpoint, the Ordinance should give the ConCom more discretion & flexibility and have less stringent standards of review that may tie ConCom's hands in reviewing a project.

Harry: ConCom's mission should be to protect environment, but not prevent development. There should be oversight of ConCom decisions -- an internal appeals process consisting of a couple members of several Boards before going to superior court.

Janet Morrison: keep the historic mill exemption. These resource areas have already been altered.

Kevin: if historic mill exemption is kept, ConCom will have no say over redevelopment of old mills.

Mike D.: questions why wetlands ordinance should encourage riverfront revitalization. Why is this the ConCom's charge? Mill exemption is insulting to C. of F.

Mayor: the ordinance is a good basis but can be tweaked.

All agree that ConCom wants to have say in what is built along river, but what kind of say?

Wants ordinance to more specific on exemptions.

Mark Archambeault, NRWA: thanks for opportunity to comment. Suggests incorporating LID principles.

Kevin: DEP's wetlands regs. amended in Jan. '08 to incorporate LID, so that's take care of.

Mark suggested looking at Lawrence ordinance as model - stepped areas of setbacks in riverfront area 50- 100- 150 feet.

Mike Ciota, City Solicitor: sees couple issues - area of ConCom's jurisdiction - 200 feet or to allow mill exemptions -- yes or no?

Issue - how much flexibility (waiver -granting ability) should ConCom have?

Discussion what is ConCom trying to accomplish and what types of development are they trying to encourage or discourage?

Mike D. & Tom suggested that commenters on Ordinance & Regs should re-do it & incorporate suggested changes for further review.

Tim: we can probably agree on 80% of the changes suggested. Still need to decide issue of mill exemptions, etc.

Agreed that Planning Office will do that re-drafting and circulate for March 25<sup>th</sup> meeting.

Issue: can there be a local, internal appeal to another body, before an appeal to Superior Court?

Mike Ciota: can't say yes or no. Will look into.

Mike D. We should look into stepped riverfront area as in Lawrence's ordinance.

Mike Ciota we should look at map of parcels affected by Mill exemption. How many?

## **PUBLIC HEARINGS**

### **NOI - Newark America, Snows Mill pond dam improvements (continued from 1-29-08)**

Tighe & Bond requested continuance to March 26 meeting. ConCom agreed to continuance.

### **Request for Determination of Applicability, Fitchburg DPW, proposed Rt. 31 / John Fitch Hwy. / Rindge Rd. Roundabout (continued from 1-29-08)**

Denis Meunier, DPW Commissioner laid out Mass Highways plan of roundabout.

Drainage from intersection ends up in the same drainage system and out to Falulah Brook.

Commission issued Negative Determination.

### DPW- shoal removal & bank stabilization Fitchburg Airport

Special condition of OOC stated work was to be done by March 1. Denis Meunier asked for 1-month extension. DPW crews have been unable to start work due to weather.

Motion made & seconded to adjourn. Vote unanimous.

Meeting adjourned: 7:15 p.m.

Next meeting: March 25, 2008